



By this certificate, this correspondence is being deposited with the U.S. Postal Service as First-Class Mail, Airbill No. EL 982740155 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 17, 2004 Signature: _____

(Elizabeth A. Hanley, Esq.)

Docket No.: NCI-006DV1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Donald F. Weaver *et al.*

Application No.: 09/932677

Filed: August 16, 2001

Art Unit: 1624

For: ANTI-EPILEPTOGENIC AGENTS

Examiner: Deepak R. Rao

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Notice of Non-Compliant Amendment dated November 19, 2004,
Applicants' attorney re-submits herewith a Re-Submitted Response to Non-Final Office Action
Compliant with 37 CFR 1.121 in the proper format.

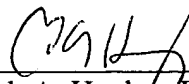
The Commissioner is hereby authorized to charge payment of any fees under 37 CFR §§ 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.*

Dated: December 17, 2004

Respectfully submitted,

By



Elizabeth A. Hanley, Esq.

Registration No.: 33,505

LAHIVE & COCKFIELD, LLP

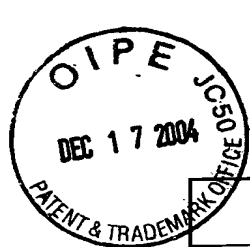
28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant

**AMENDMENT TRANSMITTAL LETTER**Docket No.
NCI-006DV1Application No.
09/932677-Conf. #5945Filing Date
August 16, 2001Examiner
Deepak R. RaoArt Unit
1624Applicants: Donald F. WEAVER *et al.*

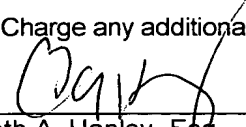
Invention: ANTI-EPILEPTOGENIC AGENTS

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	135	- 135 =		x	
Independent Claims	3	- 3 =		x	
Multiple Dependent Claims (check if applicable)				<input checked="" type="checkbox"/>	
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					

☒ Large Entity☐ Small Entity☐ No additional fee is required for this amendment.☐ Please charge Deposit Account No. 12-0080 in the amount of \$ _____
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-0080
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.
Elizabeth A. Hanley, Esq.
Attorney Reg. No.: 33,505Dated: December 17, 2004LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 982740155 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 17, 2004

Signature: 

(Elizabeth A. Hanley, Esq.)